

FILED '05 JUN 24 10:46 USDC-ORF

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

FRANCIS B. MARIN,

CV. 05-908-PA

Petitioner,

ORDER

v.

ALBERTO GONZALES,
Attorney General of the United
States, and MICHAEL CHERTOFF,
Secretary of the Department of
Homeland Security,

Respondents.

PANNER, District Judge.

I find that petitioner is not a flight risk or a danger to the community. Petitioner has considerable assets and ties to the community and Judge Stewart has found it very unlikely that he would commit further crimes. I therefore order that petitioner be released at 5:00 p.m. on Monday, June 27, 2005 unless an appeal is filed by the government and his release is stayed by the 9th Circuit before this time. Petitioner's release is pursuant to the

conditions in Judge Stewart's Second Order Setting Forth Conditions of Release, CR05-139-BR (#16).

CONCLUSION

Petitioner's writ of habeas corpus (#1) is GRANTED. Respondents are ordered to release petitioner at 5:00 p.m. on Monday, June 27, 2005 unless an appeal is filed by the government and his release is stayed by the 9th Circuit before this time.

IT IS SO ORDERED.

DATED this 27 day of June, 2005.

A handwritten signature in black ink, reading "Owen M. Panner", written over a horizontal line.

Owen M. Panner
United States District Judge